GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands – Resumption of assigned lands whenever required for a public purpose as per conditions of patta and payment of compensation for the resumed assigned lands on par with patta lands as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or any other Land Acquisition Act in force in the State –Orders - Issued.

REVENUE (ASSN.I) DEPARTMENT

G.O.Ms.No.259. Dated: 21-06-2016.
Read the following:-

1. G.O.Ms.No.1307, Revenue (Assn.I) Dept., dt: 23.12.1993
2. From the CCLA, AP, Ref.No.LA.1-2/1420/2013, dt: 06.05.2015.

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O R D E R:

In the G.O. 1st read above, orders were issued for payment of lumpsum ex-gratia equivalent to the market value to the assignees whose lands are resumed for the projects and other public purposes and equivalent to valuation for other private orchards structures, wells etc., subject to certain conditions like that they are not entitled for payment of interest or additional market value under the Land Acquisition Act and also precluded from seeking reference to court under Section 18 and 28-A of Land Acquisition Act, 1894.

2. The Chief Commissioner of Land Administration in his letter 2nd read above, has requested to issue a separate order in place of G.O. 1st read above, for payment of ex-gratia ensuring for compensation to the assignees whose lands are to be resumed by the Govt. for projects and other public purposes at an early date in view of certain provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. Government have examined the matter in detail and felt that before coming into force of the new Land Acquisition Act, 2013, ex-gratia was paid while resuming the Government lands as per Govt. orders issued from time to time as there was no specific provision about assignees in the Land Acquisition Act, 1984. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which came into force from 01.01.2014 contains the following provisions with reference to assignees and assigned lands viz.,

(a) Definition of "affected family" under section 3(c) under sub clause (v) includes "a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition",

(b) Definition of "land owner" in 3 (r) includes under sub clause (iii) "any person who is entitled to be granted Patta rights on the land under any law of the State including assigned lands".

Therefore, Government have felt that in view of these provisions of new Land Acquisition Act, 2013, the existing Government orders on ex-gratia need to be revised.

P.T.O. ….

4. Accordingly, Government after careful examination of the issue and in supersession of the orders issued in the G.O.Ms.No.1307, Revenue (Assn.I) Department, dt: 23.12.1993, issue the following orders:

(i) Whenever the assigned lands are required for a public purpose for a project or for alienation to a Govt. Department or Corporation, the lands shall be resumed as per conditions of Patta

(ii) The compensation for the resumed assigned lands shall be paid on par with Patta lands as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or any other L.A. Act in force in the State.

5. The Special Chief Secretary & Chief Commissioner of Land Administration, the Commissioner (R&R), AP and all the District Collectors shall take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Special Chief Secretary &
Chief Commissioner of Land Administration, A.P., Hyderabad.
The Commissioner (R&R), AP., Hyderabad.
All the District Collectors.
Copy to:
Water Resource Department
Finance Department
Law Department
PS to Principal Secretary to Hon'ble C.M.
OSD to Hon'ble Deputy C.M.(Revenue)
PS to CS
PS to Spl.C.S.(Revenue)
All Assignment Sections and L.A. Section in Revenue Department
Sf/Sc.

// Forwarded :: By order //

SECTION OFFICER.